

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 18, 1929.

The Council was called to order by the Mayor. Roll call showed the following members present: Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; absent, none.

The Minutes of the last meeting were read and Councilman Steck moved the adoption of same. Motion was seconded by Councilman Mueller, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

A committee from the University neighborhood presented a petition signed by a large number of residents and property owners and members of the University Faculty, protesting against the erection of a business house at 2510 Whitis Avenue. Councilman Reed moved that, in view of the enormous protests against same, M. C. Parrish be requested to withdraw his application for a permit to erect a drive-in grocery store at this location. Motion was seconded by Councilman Mueller and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed and Steck, 5; nays, none.

Mrs. A.O. Belcher presented a petition signed by the property owners in the vicinity of Eighth and Lavaca Streets, protesting against the erection of a gasoline filling station at 800 Lavaca Street. Councilman Steck moved that the Council rescind its action of July 5th, tentatively approving the site for a filling station at this location for Giesecke & Harris, through Paul O. Simms Company. Motion was seconded by Mayor McFadden, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Councilman Pannell moved that it be the future policy of the City Council that all applications for permits for filling stations and other businesses coming before the Council shall remain on file for one week after being introduced before action is taken upon same. Motion was seconded by Mayor McFadden, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Councilman Mueller moved that, in accordance with the recommendations of the Park Board, City Manager Johnson be authorized to purchase a tract of land on Shoal Creek, being a part of Lots 1, 2, 3, and 4, in the Graham Subdivision of Outlot 59, in Division "D", for the development of the park and boulevard system along said Creek; the consideration for same being \$1500.00. Motion was seconded by Councilman Reed and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

City Manager Johnson submitted an estimate of the cost of moving five houses ~~from~~ off the property recently purchased by the City from the Austin Presbyterian Seminary to a point on Wooldridge Street, the placing of same on foundations and making connections with water and sanitary sewer mains, as per agreement made by W. T. Caswell, Chairman Park Board, with said owners at the time of purchase, the total of said estimate being \$1025.00. Mayor McFadden moved that the City Manager be authorized to carry out the terms of this agreement and that said amount be appropriated out of the Parks and Playgrounds Bond Fund for this purpose. Motion

was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

A petition signed by a number of residents and property owners in the vicinity of the Weed-Pelphrey Funeral Home, protesting against the routing of funerals on West Twelfth Street to Guadalupe Street, was read and ordered filed.

The Mayor laid before the Council for its second reading, the following ordinance:

AN ORDINANCE ESTABLISHING THE FIRE LIMITS OF THE CITY OF AUSTIN; DIVIDING SUCH FIRE LIMITS INTO FIRE ZONES AND DESIGNATING AND NUMBERING SUCH FIRE ZONES, RESPECTIVELY; PRESCRIBING THE KIND, TYPE AND QUALITY OF BUILDINGS, STRUCTURES AND IMPROVEMENTS TO BE ERECTED THEREIN; PROVIDING FOR THE ERECTION THEREIN OF BUILDINGS OF CERTAIN FIRE-RESISTIVE CONSTRUCTION; PROHIBITING THE REMOVAL OF CERTAIN KINDS OF BUILDINGS WITHIN OR INTO SAID FIRE ZONES; REGULATING THE REPAIRS, ALTERATIONS AND ADDITIONS OF CERTAIN KINDS OF BUILDINGS WITHIN SAID FIRE ZONES; PRESCRIBING A PENALTY FOR THE VIOLATION HEREOF; AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

The above ordinance was read the second time and Councilman Mueller moved that the rule be suspended and the ordinance passed to its third reading. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The ordinance was read the third time and Councilman Mueller moved that same be finally passed. Motion was seconded by Councilman Pannell, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the sum of Fifteen Thousand (\$15000.00) Dollars be and the same is hereby appropriated out of the Water and Light Fund, for the purpose of placing same to the Job Account of the U. G. I. Contracting Company, to be used for the payment of labor and materials in connection with the construction at the Water and Light Plant, under the terms of the contract between the City and said Company.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, R. W. Brydson is the contractor for the construction of the High School gymnasium building to be situated on Lot A, Outlot 6, Plat 93, of the City of Austin, and desires a portion of the street abutting said premises during said construction to be used in the work and for the storage of materials therefor; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. That space for the uses hereinabove enumerated be granted to R.W.Brydson, the boundaries of which are defined as follows:

Beginning at the northeast corner of Lot A, Outlot 6; thence in an easterly direction a distance of 24 feet to a point; thence in a southerly direction and parallel to the center line of West A venue a distance of 96 feet to a point; thence in a westerly direction to the east line of Lot A, Outlot 6; thence in a

northerly direction and following the east line of Lot A, Outlot 6 to the point of beginning.

2. That the above privilege and allotment of space is granted to said R. W. Brydson, hereinafter termed "Contractor" on the following express terms and conditions:

(1) That the Contractor shall erect and maintain continuously in good condition during the use of said space hereby allotted, along the east boundary of said working space a substantial walkway at least three and one-half ($3\frac{1}{2}$) feet wide and four (4) feet high, to be built according to the sketch marked Exhibit "A" hereto attached and made a part of this resolution.

(2) That the Contractor shall maintain openings in the barrier around said working space only at the terminations of the barriers on the north and south ends. A section of the walkway may be moved temporarily at any time to allow for ingress and egress of large structural members that can not be let in at the ends of the barriers.

(3) That the Contractor shall be allowed to construct any temporary work office or storehouse within the above described working space.

(4) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5000.00) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privilege granted the Contractor by the City and shall guarantee the replacement of all sidewalk, pavement and all other public property and public utilities disturbed or removed during construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

(5) That the Contractor shall remove all fences, barricades, walks, materials and other obstructions in the street immediately after the necessity for their existence in said street or alley has ceased, such time to be determined by the City Manager. The Contractor shall restore said street to as good condition as same existed before the use of space hereby granted to the Contractor.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps and plans showing the proposed construction of its pole lines in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Engineer; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its pole lines in the following streets:

(1) Three (3) poles, beginning at the south line of West Live Oak Street and extending south on Lindell Avenue alley $1\frac{1}{2}$ feet distant from and parallel to the west line of said alley a distance of approximately 350 feet;

(2) Four (4) poles, beginning at a point 7 feet west of and 8 feet north of the intersection of south line of West Thirty-second Street and the east line of Grooms Street;

Thence in a southerly direction 7 feet distant from and parallel to the east line of Grooms Street a distance of one block.

(3) One (1) pole on West Thirty-second Street between Grooms Street and Walling Drive, 8 feet north of the south line of West Thirty-second Street.

That the work and construction of said pole lines, including the excavation of the streets and the restoration and maintenance of said streets after

said pole lines have been constructed, shall be under the supervision and direction of the City Manager.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Mayor McFadden laid before the Council the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A 4 inch gas main on Oldham Street, beginning at a point 24 feet south of and 26 feet east of the intersection of the north line of East Nineteenth Street and the west line of Oldham Street;

Thence in a northerly direction 26 feet distant from and parallel to the west line of Oldham Street to the south line of East Twentieth Street. Gas main is to have a cover of not less than 1½ feet.

(2) A 4 inch low pressure gas main on San Antonio Street beginning at a point 43 feet south of and 31 feet east of the intersection of the north line of West Fifteenth Street and the west line of San Antonio Street. Top of main shall be on same level as top of present 8 inch high pressure main.

Thence in a northerly direction 31 feet distant from and parallel to the west line of San Antonio Street to a point 18 feet north of the south line of West Seventh Street, said point being 18 feet north of and 31 feet east of the intersection of the south line of West Seventeenth Street and the west line of San Antonio Street.

(3) A 2 inch gas main on East Seventeenth Street, beginning at a point 30 feet west of and 18 feet north of the intersection of the east line of San Jacinto Street and the south line of East Seventeenth Street;

Thence in an easterly direction 18 feet distant from and parallel to the south line of San Jacinto Street a distance of approximately 660 feet, said gas main to have a cover of not less than 1½ feet.

(4) A 4 inch gas main on East Twenty-fourth Street, beginning at a point 23 feet west of and 28 feet south of the intersection of the east line of Red River Street and the north line of East Twenty-fourth Street;

Thence in an easterly direction 28 feet distant from and parallel to the north line of East Twenty-fourth Street to the west line of East Avenue or Cameron Road, said gas main to have a cover of not less than 1½ feet.

Three days' notice must be given before beginning actual construction on the above described gas line.

(5) A 4 inch gas main on Sabine Street, beginning at a point 32 feet east of and 28 feet south of the intersection of the west line of Sabine Street and the north line of East Twenty-fourth Street;

Thence in a southerly direction 32 feet distant from and parallel to the west line of Sabine Street to the north line of Twenty-third Street, said gas main to have a cover of not less than 1½ feet.

(6) A 4 inch gas main on West Fourteenth Street, beginning at a point 45 feet and 5 inches west of and 27 feet south of the intersection of the east line of Congress Avenue and the north line of West Fourteenth Street;

Thence in a westerly direction 27 feet distant from and parallel to the north line of West Fourteenth Street, a distance of approximately 390 feet, said gas main to have a cover of not less than 2 feet.

(7) A 4 inch low pressure gas main on East Twenty-third Street, beginning at a point 21 feet south of and 150 feet west of the intersection of the north line of East Twenty-third Street and the west line of East Avenue, said point being the end of present 4 inch low pressure main on East Twenty-third Street;

Thence in an easterly direction 21 feet distant from and parallel to the north line of East Twenty-third Street to a point 30 feet west of and 21 feet south of the intersection of the east line of East Avenue and the north line of East Twenty-third Street, said gas main to have a cover of not less than 2½ feet.

(8) A 4 inch low pressure gas main on East Avenue beginning at a point 30 feet west of and 21 feet south of the intersection of the east line of East Avenue and the north line of East Twenty-third Street;

Thence in a northerly direction 30 feet distant from and parallel to the east line of East Avenue to a point 30 feet west of and 20 feet south of the intersection of the east line of East Avenue and the north line of East Thirty-second Street, said gas main to have a cover of not less than 2½ feet.

(9) A 4 inch low pressure gas main on East Thirty-second Street, beginning at a point 30 feet west of and 20 feet south of the intersection of the east line of East Avenue and the north line of East Thirty-second Street;

Thence in a westerly direction 20 feet distant from and parallel to the north line of East Thirty-second Street to the east line of Red River Street, said gas main to have a cover of not less than 4 feet at the gutter line on the west side of East Avenue and 2 foot cover at all other points.

(10) A 2 inch high pressure gas main on Wilson Street, beginning at a point 23 feet south of and 38 feet west of the intersection of the north line of West Live Oak Street and the east line of Wilson Street;

Thence in a northerly direction 38 feet distant from and parallel to the east line of Wilson Street to the south line of Crockett Street, said gas main to have a cover of not less than 1½ feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

That the work and laying of said gas mains, including the excavation in the streets and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said Company by the City of Austin.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the application of T. J. Johnson for permit to reconstruct a drive-in gasoline filling station at 108 East Eighth Street; also the following report of the Safety Committee upon same:

"Austin, Texas, July 18, 1929.

Hon. Mayor and City Council,
Austin, Texas.

Gentlemen:

We, your committee, on the application of T. J. Johnson, lessee of Pierre Bremond, now operating a garage and drive-in gasoline station at 108 East Eighth Street, which station is on part of Lots 11 and 12, Original City Block 97, City of Austin, Texas, to increase the number of pumps and number of driveways and generally revise his building and station, make the following report:

We, your committee, recommend that this permission be granted subject to the following conditions:

1. That all improvements to building and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment installed, lines and grades to be obtained from the City Engineering Department for entrances and driveways, building plans to be approved by the City Building Inspector.

2. That a metal lath and plastered fire division wall shall be constructed across the width of the building as shown on the plan No. 2-G-133, and shall extend the full height of the first story from floor to ceiling. Two fire doors and four windows shall be allowed to be constructed in this wall, the design of the fire doors and windows being subject to the approval of the Engineering Department. That that part of the first floor ceiling located between the east, south and west walls of the building and the metal lath and

plaster fire division wall required herein and shown on the plan shall be covered with metal. That the front and west walls of the building may be altered to meet the new driveway requirements, such alterations to be subject to the approval of the Engineering Department. Interior supporting columns may be moved to meet the needs of the Engineering Department. Detail plans for such additional construction must be submitted before a building permit will be issued.

3. That gasoline storage tanks and pumps and equipment used in connection therewith shall be of an approved type, and shall bear the label of the National Board of Fire Underwriters, all equipment to be installed in compliance with City and State regulations governing such installations. All equipment to be inspected and approved before being placed in service. Blind pumps to be used on all installations. Visible containers to be removed.

4. That gasoline pumps and other equipment used in connection with the operation of a gasoline filling station shall be so located that cars receiving service therefrom will not in any way obstruct the sidewalk, street or alleyway. The pumps shall be at least ten (10) feet inside the property line.

5. That electric lights only shall be used for lighting purposes, and all electric wiring shall be done in compliance with regulations governing the wiring of gasoline filling stations and shall be approved by the City Electrical Department.

5a. That the interior portion of the station shall be so constructed that all waste oils and water will be collected on the property of Pierre Bremond into a grease and sand trap and that the water shall be conducted in a storm sewer from said trap to the City storm sewer on the west side of the alley west of the property of Pierre Bremond at the expense of the applicant and that the applicant shall make a deposit in escrow of the estimated cost of said storm sewer before commencement of any construction.

6. That "NO SMOKING" signs shall be displayed at all times, and no person shall be permitted to smoke or have any open flame on premises where gasoline is sold or stored.

7. That there shall be kept in an accessible place at all times, a chemical fire extinguisher for emergency use.

8. That all gasoline pumps, tanks, equipment and piping connected thereto shall be inspected and approved by the City Plumbing Inspector and that the property owner shall apply for a permit to the City Plumbing Inspector for instructions before proceeding with his work,

9. That a plan of the filling station hereto attached marked 2-G-133, indicating the layout of the drives, pumps, the use of the City street and sidewalk and the walls which must be built in accordance with certain types of construction must be followed during the reconstruction of this station.

10. That all curbs, ramps, sidewalks shall be reconstructed of concrete in so far as may be necessary to agree with the layout indicated on Plan 2-G-133.

11. That permission shall be granted subject to the above conditions and the present and future rules and regulations and ordinances of the City of Austin, Texas, applying to or regulating gasoline filling stations, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of proper police, traffic and fire regulations, and the right of revocation is retained if after hearing it is found by the City Council that the said T. J. Johnson, lessee of Pierre Bremond, has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Signed) J. E. Woody, Fire Chief;

R. F. Rockwood, Fire Marshal

Orin E. Metcalfe, City Engineer;

L. A. Palmer, Plumbing Inspector.

CITY SAFETY COMMITTEE. "

Councilman Mueller moved that permit be granted to said T. J. Johnson, subject to the above recommendations of the Safety Committee. Motion was seconded by Councilman Steck, and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Mayor laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the width of East Fifteenth Street between its intersections with Sabine Street and East Avenue be and the same is hereby established and fixed as eighty feet between property lines and forty-six feet between curb lines.

The above resolution was adopted by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

Councilman Reed moved that the Council recess, subject to call of the Mayor. Motion was seconded by Councilman Steck and same prevailed by the following vote: Ayes, Mayor McFadden, Councilmen Mueller, Pannell, Reed, and Steck, 5; nays, none.

The Council then recessed.

Approved: *J. M. McFadden*
Mayor.